

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

**Paradise Community Center
4775 McLeod Drive, Town Board Conference Room
Las Vegas, Nevada 89121
January 29, 2007
6:30 p.m.**

MEMBERS PRESENT: BIGGERSTAFF, JAN (JB)
CHEVALIER, YVETTE (YC)
SANJAY, VERMA (VS)
SONDEJ, KEN (KJ)
POOLER, TOM (TP)
YOUNG, BILLIE (BY)

1. Call to order

The meeting was called to order at 6:36 p.m.

2. Approval of agenda

A motion to approve the agenda was made and seconded.

3. Presentation to Committee Members

DAVE MARCH (DM) gave a token of thanks to the Committee members from last year (small badge and patch).

4. Approval of October 24, 2006 Minutes

A motion to approve the minutes was made and seconded with minor change.

5. Selection of Chair and Vice-Chair

Tom Pooler was nominated as Chair. Motion seconded and approved. Motion for vice chair is made for Billie Young. Motion seconded and approved.

6. Approval of Application for Spay/Neuter Funds

TP – HCW is requesting \$5,000. DM - funds come from license plate fund and are held in a trust fund by each of the counties in the state of NV for the purpose of sterilization. HCW previously was awarded \$5,000 with \$4,000 and \$3,000 to LVVHS and SOS has been awarded \$3,000. We have a balance of \$7,739.51 so we can award \$5,000 which would leave \$2,739.51. To date we have paid \$8810 and assisted in sterilization of 353 animals. Motion to award \$5,000 to HCW. YC – great they used their money promptly and recommending monies be awarded.

7. Appeal of Vicious Animal Declaration

DM passed out pictures for Committee to see. Have dog owner speak as to what happened that

night. CAREY MACKEY, Sandy Valley. About 2:30 in the morning was woken up by the dog. Have 4 dogs, 3 are kept in kennels and the 4th, very docile, let him run for a couple days, staying on porch. Dogs in kennel woke him up. He went out back door; saw that 2 were gathered to one side of fence and the other the same side. He thought someone was breaking in. Went out south door of house and saw 3 pit bulls, 2 standing over our dog that was pinned to the ground by the 3rd pit bull. Against better judgment jumped off the porch and went after the dogs. Two got scared off. This was not the first time the dogs have been on his property. Have asked owners to keep her dogs fenced up. Dogs were getting out and previously had backed stepson and daughter up to house. We have a fence up but no gates yet. The dog that had our dog pinned released grip around chest and came at him. He picked up a big rock and hit the dog. The dog looked at him and took off. Looked at our dog. My wife came out. I am EMT and fireman and I realized our dog was dying. He had puncture wounds. Told my wife he was dying and called a vet in town to take him to. Dog died about 10 minutes later. Wasn't anything we could do. My wife is also an EMT and there was nothing we could do for our dog. The other dogs disappeared. Metro wouldn't come down, got animal control and took report. Was advised to take pictures. I buried dog the same morning. TP – sorry for your loss and thank you for being here.

SUZETTE MONTTOYA is also sorry for loss of dog. Horrible thing. She has raised pit bulls since she was 14. Never had complaint until moved to Sandy Valley. Prowler lives up the street who was arrested for having sex with a 13 year old. Very sorry for their loss. TP asked her to confine statements to the situation. 50 by 30 ft kennel. Believes someone is releasing. Bull Mastiff trained to be raised with retarded children. Doesn't have vicious bone in body. They are being taunted. She had to make fence within fence. My dogs were locked in 6 ft kennel. When I got there found a flyer saying my dogs were abandoned, RAL and had killed neighbor's dog and had chased judge's husband. My dogs are not vicious. First I heard of what happened – when I got there, gate was open. Chain was wrapped around. Bullmastiff is smart and needs a special lock. Son has pictures on his camera. Gate was padlocked and hinges pried off. Officer told her son that AC came by with a black pit bull in back of trailer and said, “we are getting dogs cause they killed other dog. Never received any paperwork. TP – why did police shoot your other dog? SUZETTE for chasing Tony D’Giovanni. Fiendish people living there who have never had jobs. Dogs are 1 year old and bullmastiff is 2. TP have you had any prior problems with dogs besides police shooting? Shiloh pegged girl in the back of the yard. Dogs are smart and don't let people in with bad vibes. Can rule out people and judge them. God gives them it. Never had vicious dog. Only one dog and then cop shot dog. According to records (DM) October 2001 dog bite, 2002 dog bite, July 2003 dog bite. Three bites; 2004 dogs RAL and another complaint of cruelty to animals. JB – how do we notify? DM - by mail or by phone public meeting. JB – is Sandy Valley so dangerous? CASEY – my wife has been out there for 11 years. She does not find it a bad place. SUZETTE – Chuck Gibson my friend they killed his wife in a car accident and they killed him in the desert. YC – you are speaking to a Committee to vote on situation. Can you summarize what you feel this Committee should do? Suzette spent a lot of money, installing computerized video system that will notify cell phone. There is a lot of denial by locals. Operate by scratching each other's back. Bred pit pulls since I was 14. Applied for kennel license when this happened. No dog fancier permit. Been selling puppies through RJ since 1967. Pits don't have rabies tags. Mastiff records in Pahrump. Biggest problem (TP) not having anyone on premises. You have 3 bites on record and 3 RAL, one where dog was shot by cop and now this. Don't hear anything about what you are going to do to prevent. Do you have any dogs now? SUZETTE – just given one. She is with me all the time. Don't trust out there alone. Maybe hire an armed nighttime guard. YC – what sort of dog do you have? SUZETTE – pit bull. Beautiful not vicious. Never seen a vicious one just born from God. It is like having a big strong older brother. My family's protection. VS – how many dogs do you have? SUZETTE – has had 5 dogs, one stolen and tased. Had 5 or 6 dogs out there. VS - 3 dogs, only 1 vaccinated. Suzette didn't have money for rabies shots. My dogs were secure. This incident happened on neighbor's property (VS). SUZETTE but

their yard is open, all open gates, partially fenced, has kennel panels. They did not get out. They were let out.

BARBARA HOWARD (BH), Box 203 HCR 31, Sandy Valley, been there for 20 years and just sold property. Can verify 3 times that someone has let her dogs out. I wouldn't want my two loose either. BY – what do you do to ensure animals don't get out? 40 x 50 ten-foot wide kennel. Keep chained. Am not close to any one (BH). TP – when you say someone is letting dogs out how does that happen. With the chain, someone had to let them out (BH) the Bull Mastiff can open slide locks; have to have a chain or lock of some kind. TP is there a padlock on the fence? BH two hinges were taken off and opened from backside. TP do you have anything else to offer on behalf. SUZETTE – my youngest female hasn't been nurtured enough. She may have gotten hold of rabbit blood and may need to be put down but the bullmastiff and male are sweet. YC - Mentioned Bull Mastiff was trained to be around retarded children. Someone in Pahrump (Suzette) people got divorced. Lady left dog in laundry room for 2 weeks. Did not provide a therapy dog or obedience certificate. Had a red nose neutered male running around together with Bull Mastiff. Little female may be the troublemaker. Don't think dogs are getting a fair shake. BH - 90% when animals don't get fair shake it is result of people. She kept telling me they were getting out and got chain link structure from Betty Hahn's place when all turned down. TP – job of Committee to decide if we uphold vicious animal declaration of animals. Do we uphold officers' position on this? Is there a motion? YC – Motion to uphold vicious declaration. VS agrees, seconds motion. YC – am an animal lover and have compassion for animals that get out but when we have animals, the ultimate responsibility rests on animal owner to prevent their animals from hurting other people or animals. Although very difficult to make decision, law states when an animal is vicious such as these animals have been toward this family's golden retriever mix, we have to protect the public. I feel for you that someone has let your dogs out but even so when there is an accident, someone is responsible and in this case, it is you. I uphold animals being vicious. BY loves large dogs and believe it is not nature for pit bull to be mean unless something happened or they grow into. Proper training and oversight ensures that they don't become a fighting animal. Have to say that had there not been previous incidents of animals at large and bites, I might have had more questions and maybe looked a bit more at this but in light of the history, the owner has the ultimate responsibility to make sure her animals are maintained safely for their own and the safety of the others and support the officers. KJ – multiple infractions and bite situation, if 1st time maybe different conditions but being a repeat situation whether it is animals or owners fault, it comes down to officers' decision being correct and stand by it. Motion approved. TO – she can take this to Court if she so desires.

8. Information-sharing by Committee Members

TP – statements to make you will be held to a 3-minute limit. Vicious was emotional. Been in situation (BY) where my dog was bitten. Accidents happen but what follows can make a difference. I only had a vet bill not a death but I know actions I took. Very difficult thing and have to believe officer saw all that as well. TP – worked for a vet and said an ounce of prevention is worth a pound of cure and have found so true. What you do when you have a problem can make all the difference in the world. People are mostly responsible for the animal problems we have.

9. Comments by the General Public

DIANE ORGILL – we all agree with vicious dog declaration. It was very unfortunate. She kept replacing her dogs. She gets more dogs when something happens. They suffer because of lack of responsibility. DM – was issued citations for not having current rabies and for having intact w/o fanciers. Rabies cites dismissed by court. If they had been RTO'd would have gotten. Still

pending for intact w/o fanciers until results of the Committee. Suggested that the judge limit the size of dog she can have if nothing else. Don't know we would be able to say no pets but maybe say no dogs over 20 lbs to prevent recurring theme. At this time nothing in Title 10 that would allow us to prevent this person from getting more animals.

KAREN LAYNE (KL) – We have been asked to comment on SB11 which is an anti-tethering that would limit chaining of animals to 9 hours. Have a real concern about this. We have proposed an anti tethering that would not allow chaining at all. My concern is 9 hours in summer time in hot sun is not a good thing. Would like some comments and if there is any county problem.

DM – our position is having a time limit makes it unenforceable. You can't stand up in court and swear it was on the lead for 9 hours. Should take time limit out; should be zero tolerance, only way enforceable. DM – It is not species specific. TP – might be good for cockfighting. DM true except for establishing they were tied up for more than 9 hours. Time limit makes unenforceable. KS - talked to woman who had drafted. Sounds good other than not enforceable. Know a lot of groups are trying to push anti-tethering without taking into consideration that certain breeds, hunting dogs, huskies and some other animals are trained on a tether. Don't have to be dogs or cats, bill goes beyond that, covers ferrets, mice, open up whole spectrum from exotics to food animals. Don't know what legislature is going to do. Came up as bill that was preregistered. AC made opinion known. Bill sounds good but is not enforceable and would be a waste of time. YC has not read bill but sounds to me it would be difficult to tell animal owners 24/7 what they may or may not do with animals. It may be unconstitutional. Can't tell animal owner cannot tie animal at all. Is it limited to residency? DM no. KS – looks like a blanket type situation and know how numbers work. This year it is 9 hours, next session it is 7, next session 3 and then zero. Anytime there are numbers involved, federal, state or local, won't fly cause numbers are always changed downward. BY – does that include a dog you let out the front door on 10 ft chain. AAC came up with unattended tethering of an animal so if you tie out front by harness and then leave that would be a violation. Would apply to same animals along those same lines. Primarily intent was to outlaw tethering. Many statistics in fatal animal attacks for dogs that are kept on chains. DM – AAC work is unattended. State law is more than 9 hours w/o saying attended or not. JB – circus is my background. Elephants need to be tethered. YC some states have restrictions w/shelter accessible to them. DM – we would have to provide adequate shelter during that 9 hours you just couldn't leave them over 9 hours. Something better than nothing isn't right.

KL – our concern is we get complaints through the cold spell where people left animals outside at night. How we define shelter is very nebulous. If you have an overhang in summer it may shade dog for 4 hours but not remaining 10 hours or a day. Our concern is those animals in yard 24/7 with “shelter” when they are sitting on concrete. Very inhumane. Tell people to call AC who says they have shelter. We would like something done in this area. We go out and can see conditions not wonderful, usually neighbors concerned about animals. There were exceptions in SB11. KS no exceptions in proposed bill. YC – would like to read it. If not limited to domestic animals or canines, will fall on deaf ears. Tethering is a requirement for farming, agriculture.

BRUCE HALSTEAD (Bruce)– dog in car in head on collision. Dog on impact hit headrest and dog owner died. For under \$10 can set up so dogs can be restrained in back seat with harness and short lease, come up to you but not distract while driving. AC states we can't enforce. Like child seat law, can cite person if stopped for something. Would like to see AAC consider idea and fine with percentage to go to hiring more ACOs with 3 strike law. AC could cite and make pay heavier fine. If it is good enough for kids, to keep people off cell phones, dogs need to be protected with harness. Was part of NV emergency team, 20 percent of accidents because of animals jumping up and down, seen animals jump out of car. Harness less chance of animal being killed. TP – point well taken. Restraint law for children but doesn't see it being enforced. If Metro pulls someone over, it can save animal as well as human life. Kind of laws where it is iffy. YC is there someone

available to provide info on other jurisdictions that have restraining ordinance for animals in back seat. KS – not aware of any. There was someone who came to Black Mountain Kennel club to sell. Bruce – Pet carriage, \$75 to \$100 but with my harness, it could be done for \$10. Put it together so dog doesn't tell me how to drive. DM has already seen it. Good concept. Bruce still has radio from search and rescue. Lot of times when animal hit on road, it jumped out of car and got run over. If 5% goes to AC they can get officers they need. Public safety. YC - animal safety would be good idea. Bruce is willing to work with Dave on it. We need clout. ACOs like idea. Dog neck like human neck, bones can break. VS – there is something in Pet Ed don't know what rules exist now, most who buy, can't stop talking about, not a leash but harness that protects dog way he is restrained in car. DM in Title 10 we have restraint back in open pickup truck. Not something you can be pulled over for. It is secondary. It is a great tool but not sure compliance on behalf of dog owner or Metro. Am not certain it is feasible. If committee wants to look at we can expand existing ordinance from just back of trucks to being in vehicles. Bruce - animal can still be injured with a harness. Show that AC is animal friendly. BY – can you provide pictures of various dogs in what you are talking about? Just public service awareness to start with (JB) before we start making laws.

MIKE CONNELL – could wording be changed in new tethering bill, family domestic, home pets instead of animals. TP – lot of ways to make exceptions. The one AAC worked on was aimed at family pet when originally done. Not sporting dogs, horses, falcons, and exotics. JB – law right now is broad. YC – can anyone make changes before it goes to legislature. DM would have to be at state level. KS – American Kennel Club legislative liaison w/ Silver State kennel Club. SB11 is not specific enough to be enforceable. Changes can only be made in committee. The senators make changes or rewrites and hopefully not say, it is just a dog or just an animal. Our judges and legislatures think that way. Original intent was for dog but now wide open for anything. Website – NevadaPetLaw gathers info from all over the county, Pets.groups.yahoo.com/group/NVPetLaw. Nevada animals owners and sportsman voting alliance. NAOS-VA.com. Sent questions to candidates in primary. Those not returned and went to general received questions again. Only 40 were endorsed or supported by group. Locally, 2 endorsed people not elected into office.

SHIRLEY BRAVERMAN – cruelty if you see animal tethered outside w/o water isn't that cruelty? I called AC and they came out, cited people and took dog. YC – law is to prevent neighbors from having to call. SHIRLEY thinks it is a waste of time. Not enforceable. YC you are right. SHIRLEY - You can't legislate intelligence and common sense. DM - SB11 will not be enforceable by AC because it is a state law. ACOs are not peace officers, however, if SP15 passes; BCC can make us peace officers and we would be able to enforce.

BY – when BCC has something related to AC are you made aware in advance to notify us? DM generally they do not take up code changes unless it comes from some other group, for example vicious. It was crafted by SNRCP so there is consistency. Just review process is different. Generally, laws come through this committee so you can have public comment and help craft law so majority of work is done before it comes to BCC. Only other thing is budget. We can find out when budget hearings will be held and we can let you know. You guys are all free to talk to commissioners about such things. Anything we become aware of, we would be happy to let you know. BY – even just e-mail. lvpetdoc@yahoo.com

MIKE CONNELL – starting the 3rd setting up for 4-day clusters at Sam Boyd stadium, 6, 7, 8 and 9. 2,500 to 4,00 dogs

10. Set date, time and agenda of next meeting

The next meeting is scheduled for April 3, 2007 at 6:30 p.m. at the Paradise Community Center.

11. Adjournment

The meeting was adjourned at 8:13 p.m.